TOWN OF NEWBURGH
1496 Route 300, Newburgh, New York 12550

September 29, 2026

VIA E-MAIL mail@joshhuckabee.com
Mr. Joshua Huckabee
[redacted]
Newburgh, NY 12550

Re: Town of Newburgh; F.O.I.L Appeal Received September 28, 2026
Our File No. 800.1(F)( )(2026)

Dear Mr. Huckabee:

I hereby acknowledge receipt on September 28, 2026 of your e-mailed and hand delivered Freedom of Information Law Appeal dated September 28, 2026 from the partial denial and "constructive denial" of access to certain records listed in your F.O.I.L. application dated August 21, 2026 to Lisa M. Vance Ayers, Town of Newburgh Town Clerk and Records Access Officer. Your appeal additionally refers to the failure to provide certifications that other requested records do not exist or cannot be found after a diligent search, the requests for which were included in your original application. While I do not understand the failure to provide certifications to be within the scope of appellate authority set forth in Town of Newburgh Municipal Code Section 144-7, I will address the oversight with the Records Access Officer.

Public Officers Law §89(4) provides for a period of 10 business days from receipt of an appeal to fully explain in writing the reasons for further denial or to provide access to the record sought, I will provide a determination of your appeal within the statutory period, calculated from the September 28, 2026 date of delivery of your appeal as ending October 13, 2026, when considering October 12, 2026 as the Columbus Day/Indigenous Peoples Day holiday.

By copy of this letter, I am forwarding a copy of your appeal to the Committee on Open Government in accordance with POL §89(4)(a) and Town of Newburgh Municipal Code §144-7(E).

Very truly yours,

Mark C. Taylor,
Attorney for the Town of Newburgh and
Freedom of Information Appeals Officer

MCT/sel
Enc.

cc: Supervisor (via e-mail)
Town Board (via e-mail)
Records Access Officer (via e-mail)
Chief of Police
Committee on Open Government (w/ enc.)